

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

DEMETRIA POWELL, as guardian ad  
litem and on behalf of her son D.P., et  
al.,

Plaintiff,

v.

THE STATE OF ILLINOIS, et al.,

Defendants.

No. 18-cv-6675

Hon. Joan B. Gottschall

**NOTICE OF INTERLOCUTORY APPEAL**

Defendants State of Illinois, Department of State Police, J.B. Pritzker in his official capacity as Illinois Governor, and Brendan Kelly in his official capacity as Director for the Illinois State Police, hereby appeal to the United States Court of Appeals for the Seventh Circuit the portion of the order entered by the district court on September 30, 2019 (Doc. 37), denying Defendants' motion to dismiss in which they argued that the relief requested by the plaintiffs was barred by the Eleventh Amendment to the United States Constitution. By this appeal, Defendants request that the portions of that order denying their motion to dismiss on this basis be

reversed and vacated, that this action against Defendants be dismissed, and that this Court grant any other available relief.

October 28, 2019

Defendants THE STATE OF ILLINOIS;  
THE DEPARTMENT OF STATE POLICE;  
J. B. PRITZKER, in his official capacity as  
Illinois Governor; and BRENDAN KELLY,  
in his official capacity as Director of the  
Illinois State Police

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**PROOF OF FILING AND SERVICE**

The undersigned attorney certifies that on October 28, 2019, he caused Defendants' **NOTICE OF INTERLOCUTORY APPEAL** to be filed and served electronically using the Court's CM/ECF system.

/s/ Michael Dierkes

One of the attorneys for Defendant